

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: Nicole Walker-Edwards aka Nicole Walker,

Debtor

Carrington Mortgage Service, LLC, or its  
Successor or Assignee

Movant

vs.

Kenneth E. West, Trustee  
Nicole Walker-Edwards aka Nicole Walker  
Respondent(s)

Chapter 13

Bankruptcy No. 18-15339-elf

**MOTION OF CARRINGTON MORTGAGE SERVICE, LLC, OR ITS SUCCESSOR OR  
ASSIGNEE FOR RELIEF FROM AUTOMATIC STAY UNDER § 362(a)**

Movant: Carrington Mortgage Service, LLC, or its Successor or Assignee

Mortgage dated September 19, 2007 and recorded September 21, 2007 in the Office of the Recorder of Philadelphia County as Instrument Number: 51776502.

Assignment Mortgage dated June 29, 2012 and recorded July 24, 2012 in the Office of the Recorder of Philadelphia County as Instrument Number: 52512613.

Assignment of Mortgage dated April 17, 2019 and recorded April 17, 2019 in the Office of the Recorder of Philadelphia County as Instrument Number: 53502157.

1. Carrington Mortgage Service, LLC, or its Successor or Assignee (hereinafter "Movant") holds a claim secured by a duly recorded Mortgage on property of Nicole Walker-Edwards aka Nicole Walker, or of the bankruptcy estate located at: 2112 N. 58th Street, Philadelphia, PA 19131.

2. Nicole Walker-Edwards aka Nicole Walker (hereinafter "Debtor") filed a Petition under Chapter 13 on August 10, 2018.

3. As of February 22, 2022, the Mortgage requires payments each month of \$660.65.

4. Movant has not received regular mortgage payments and lacks adequate protection of its interests.

5. Debtor is in default of post-petition payments to the present date from December 1, 2021

6. The total amount of the post-petition arrearage as of this date is \$1,604.18. This figure is broken down as follows:

- three (3) delinquent payments of \$660.65 for the months of December, 2021 through February, 2022
- Less suspense balance of \$377.77

7. Since February 22, 2022, Movant has incurred attorneys' fees in connection with this Motion.

8. Movant does not have and has not been offered adequate protection for its interest in said premises and may be required to pay expenses for said premises in order to preserve its lien, which is the obligation of the Debtor under said Mortgage.

9. Movant specifically requests permission from the Honorable Court to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law.

10. Carrington Mortgage Services, LLC services the loan on the Property referenced in this Motion. In the event the automatic stay in this case is modified, this case dismisses, and/or the Debtor obtains a discharge and a foreclosure action is commenced on the mortgaged property, the foreclosure will be conducted in the name of Movant. Movant, directly or through an agent, has possession of the promissory note. Movant will enforce the promissory note as transferee in possession. Movant is the original mortgagee or beneficiary or the assignee of the Mortgage.

11. All communications sent by Secured Creditor in connection with proceeding against the property including, but not limited to, notices required by state law and communications to offer and provide information with regard to a potential Forbearance Agreement, Loan Modification, Refinance Agreement, Loss Mitigation Agreement, or other Loan Workout, may be sent directly to Debtors.

WHEREFORE, Movant prays for an order modifying the automatic stay of Bankruptcy Code ' 362(a) to permit Movant to foreclose its Mortgage and to exercise any other rights it has under the Mortgage or with respect to the mortgaged property such actions may include but are not limited to selling the property at Sheriff Sale, entering into a loan modification or signing a deed in lieu of foreclosure; and

Further, granting Movant permission from this Honorable Court to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with the applicable nonbankruptcy law.

/s/ Marisa Myers Cohen

MARGARET GAIRO, ESQUIRE ID # 34419

MARISA MYERS COHEN, ESQUIRE ID #87830

JAMES FRENCH, ESQUIRE ID # 319597

ANDREW M. LUBIN, ESQUIRE ID # 54297

Attorney for Carrington Mortgage Service, LLC

123 South Broad Street, Suite 1400

Philadelphia, PA 19109

Telephone: (215) 790-1010

Facsimile: (215) 790-1274

Email: [ecfmail@mwc-law.com](mailto:ecfmail@mwc-law.com)